



March 17, 2015

**CITY OF SARATOGA SPRINGS**  
**City Council Meeting**  
**City Council Room**  
**7:00 PM**

- 6:40 PM - P.H. - Water and Sewer Rates for 2015
- 6:45 PM - P.H. - Revision to Tourist Related Business Zoning District
- 6:50 PM - P.H. - Amend 2015 Capital Budget and Program for Loughberry Lake Parcel
- 6:55 PM - P.H. - Community Development Block Grant

**7:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT PERIOD / 15 MINUTES**

**PRESENTATION**

1. Church Street Waterline Improvement Including Looping

**CONSENT AGENDA**

1. Approve Resolution for the Use of the Insurance Reserve – 6
2. Approve Resolution for the Use of the Insurance Reserve – 7
3. Approve Resolution for the Use of the Insurance Reserve – 8
4. Approve Resolution for the Use of the Insurance Reserve – 9
5. Approve Budget Amendments – Insurance Reserve
6. Approve Budget Amendments (Increases)
7. Approve Budget Transfers – Regular
8. Approve Payroll 03/06/2015 \$489,301.25
9. Approve Payroll 03/13/2015 \$439,478.05
10. Approve Warrant: 2015 Mid – 15MWMAR1 \$122,646.88
11. Approve Warrant: 2015 REG – 15MAR2: \$3,965,803.19

**MAYOR'S DEPARTMENT**

1. Announcement: Mayor's Desk
2. Announcement: Upcoming 2015 Comprehensive Plan Public Workshops
3. Announcement: Update on 2015 Centennial
4. Appointment: Mayor's Commission on the Arts
5. Discussion and Vote: Rules of Conduct
6. Discussion and Vote: Contract with SSPF for CLG Historic Preservation Speaker Series

### **ACCOUNTS DEPARTMENT**

1. Nothing at this time.

### **FINANCE DEPARTMENT**

1. Discussion and Vote: Revise 2013 Fund Balance Excess Recommendation
2. Discussion and Vote: Budget Amendment – 2013 Fund Balance Excess
3. Discussion and Vote: Authorization for the Mayor to Sign Agreement with Camoin Associates
4. Discussion and Vote: Budget Transfers – Payroll
5. Discussion and Vote: Budget Transfers - Benefits

### **PUBLIC WORKS DEPARTMENT**

1. Discussion and Vote: 2015 Water & Sewer Rates and Resolution
2. Discussion and Vote: Sick Bank Request
3. Announcement: Submit the 2014 Department of Public Works Annual Report
4. Discussion: Update on the Ballston Avenue Reconstruction Project Detour

### **PUBLIC SAFETY DEPARTMENT**

1. Discussion and Vote: Amend City Code, Article 225, Section 225-72, Schedule VII One Way Streets
2. Discussion and Vote: Authorization for Mayor to Sign Agreement with Vander Molen Fire Apparatus
3. Announcement: Public Safety Forum on March 26, 2015 at 7 pm in the City Council Room
4. Discussion and Vote: Mayor to Sign Agreement with New York State Emergency Preparedness and Homeland Security for EVOC Training

### **SUPERVISORS**

#### Matthew Veitch

1. Personnel Committee
2. Deceased Veteran Honors

#### Peter Martin

1. Social Programs Committee
2. Public Health Committee
3. Equalization and Assessment Committee
4. Vietnam Veterans
5. State Legislative Agenda

### **ADJOURN**



March 17, 2015

CITY OF SARATOGA SPRINGS  
City Council Meeting  
City Council Room  
7:00 PM

**PRESENT:** Joanne Yepsen, Mayor  
Michele Madigan, Commissioner of Finance  
Anthony Scirocco, Commissioner of DPW  
Christian Mathiesen, Commissioner of DPS

**STAFF PRESENT:** Joe Ogden, Deputy Mayor  
Sharon Kellner-Byrnes, Deputy Commissioner, Accounts  
Lynn Bachner, Deputy Commissioner, Finance  
Tim Cogan, Deputy Commissioner, DPW  
Eileen Finneran, Deputy Commissioner, DPS

Vincent DeLeonardis

Matthew Veitch, Supervisor (arrived at 8:17 p.m.)  
Peter Martin, Supervisor

**EXCUSED:** John Franck, Commissioner of Accounts

**RECORDING OF PROCEEDING**

The proceedings of this meeting were taped for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript.

**PUBLIC HEARINGS**

Water and Sewer Rates for 2015

Mayor Yepsen opened the public hearing at 6:43 p.m.

Commissioner Scirocco stated they will be voting on the water and sewer resolution tonight. There has been an increase in the cost of supplies and chemicals. There are fixed costs in the sewer budget such as the overall operation.

No one spoke.

Mayor Yepsen closed the public hearing at 6:46 p.m.

Revision to Tourist Related Business Zoning District

Mayor Yepsen opened the public hearing at 6:46 p.m.

Commissioner Madigan stated they are waiting for a decision from the Saratoga County Planning Board. The animal clinic will be left as is and will not be included in the list of uses permitted with site plan that will be prohibited in the gateway.

No one spoke.

Mayor Yepsen ended the public hearing at 6:50 p.m. and left it open.

#### Amend 2015 capital Budget and Program for Loughberry Lake Parcel

Mayor Yepsen opened the public hearing at 6:50 p.m.

Tony Izzo, assistant city attorney, stated we have an opportunity to purchase a couple of parcels of land abutting the Loughberry Lake watershed. The appraisal for these properties is more than the purchase price of \$25,000. It has been approved by the Open Space Committee and the Real Estate Committee.

No one spoke.

Mayor Yepsen ended the public hearing at 6:55 p.m. and left it open.

#### Community Development Block Grant

Mayor Yepsen opened the public hearing at 6:55 p.m.

Mayor Yepsen stated these recommendations are made by a volunteer committee.

No one spoke.

Mayor Yepsen ended the public hearing at 7:00 p.m. and left it open.

#### **CALL TO ORDER**

Mayor Yepsen called the meeting to order at 7:00 p.m.

#### **PUBLIC COMMENT**

**Mayor Yepsen said the public comment period is limited to a total of 15 minutes and individuals are limited to two minutes each according to the rules approved in February of 2004 by the City Council.**

Mayor Yepsen opened the public comment period at 7:01 p.m.

No one spoke.

Mayor Yepsen closed the public comment period at 7:03 p.m.

#### **PRESENTATION**

##### Church Street Waterline Improvement Including Looping

Commissioner Scirocco stated the Stewart's Shops would like to install a waterline from the Home of the Good Sheppard to their plant.

Tony Izzo, assistant city attorney, stated this is an update of a presentation from November. Stewart's Shop is interested to pay for the construction of the water line in exchange for a reduction in the water rates that is roughly equal to the money they will be putting up for the construction of the waterline. This is a recalculation to take into account a percentage equivalent to the prevailing wage requirements. The original proposal was Stewart's would pay 2 times the water rate rather than the 3 times that is required. The new proposal is for Stewart's to pay 1.5 times the water rate for 30 years. Attachment A has remained the same as in November and Attachment D is the new calculation for the cost of the project.

Commissioner Madigan asked if there is a sunset clause on this agreement.

Tony advised the time limit is 30 years.

Commissioner Mathiesen asked what the next steps should be.

Tony advised this new information should be on the web site for at least one Council meeting. Then the Council can vote on it.

Commissioner Scirocco stated he sees no impact on water revenue. It is a win/win for the City; it will be all City owned infrastructure when this project is completed.

## **CONSENT AGENDA**

**Mayor Yepsen moved and Commissioner Madigan seconded to accept the consent agenda as follows:**

1. Approve Resolution for the Use of the Insurance Reserve – 6
2. Approve Resolution for the Use of the Insurance Reserve – 7
3. Approve Resolution for the Use of the Insurance Reserve – 8
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Commissioner Madigan advised that item #11 is large due to the first quarter County tax payment was due and insurance monthly premiums were included.

**Ayes - All**

## **MAYOR'S DEPARTMENT**

Announcement: Mayor's Desk

Mayor Yepsen announced she attended a press conference on the Saratoga Race Course Economic Study. The race course generated \$101 million in wages; \$237 million in sales; \$704 million in revenue for the State of New York; \$3.1 million in revenue for Saratoga County; \$3.7 million in revenue for the City of Saratoga Springs.

Mayor Yepsen announced a survey will be sent to senior citizens to get their primary concerns.

Mayor Yepsen announced the governor has asked all mayors to sign on to combat sexual assaults. She has done this.

Commissioner Mathiesen advised Wellspring, the local domestic violence organization, has been working closely with our Police Department to make sure people are getting the help they need.

Announcement: Upcoming 2015 Comprehensive Plan Public Workshops

Mayor Yepsen announced the next Comprehensive Plan workshop is scheduled for Tuesday, March 24<sup>th</sup> at 6:00 p.m. and a third public workshop has been scheduled for Tuesday, March 31<sup>st</sup> at 6:00 p.m.

Announcement: Update on 2015 Centennial

Mayor Yepsen announced a calendar of events has been planned. On April 7<sup>th</sup> at 2:00 pm there will be a press event and reception at the Visitor Center to kick off the Centennial.

Appointment: Mayor's Commission on the Arts

Mayor Yepsen appointed the following to the Commission on the Arts: Amejo Amyot, Lance Bell, Ian Berry, Devra Cohen-Tigor, Ria Curley, Lawrence Edelson, Jack Hyndman, Peter Kodogiannis, Bev Mastriani, Chris Millis, Peter Nelson, Joel Reed, John Wager, Marcia White, and Diane Winter.

Discussion and Vote: Rules of Conduct

Mayor Yepsen stated they have been discussing this at previous Council meetings. A new document was circulated to the Council today.

**Mayor Yepsen moved and Commissioner Mathiesen seconded to adopt the revised version of the Rules of Conduct as distributed to the City Council today.**

Commissioner Madigan stated she sent an e-mail today asking to re-instate the motion to end debate.

Tony Izzo stated he can see the point on both sides; to have it and not to have it in there. He doesn't recall seeing that provision invoked by a Council member over the years.

Commissioner Mathiesen stated most boards follow Robert's Rules.

Mayor Yepsen stated she agrees. There are times when they need to move forward.

Commissioner Madigan stated she wants to see a comment in the document that if a debate is going on too long and looking contentious that they move on.

Commissioner Scirocco pointed out this document should be brought forward at the beginning of each year as a reminder of these rules.

Mayor Yepsen stated she has no problem with the documents being reviewed at the beginning of each year.

Council discussed the need to have or not have an address given from a speaker in the audience.

Commissioner Mathiesen stated it can be helpful to know what part of the City someone lives in when they are making a comment at the microphone.

Mayor Yepsen stated if someone doesn't feel comfortable stating their address then they shouldn't require it.

Mayor Yepsen stated they will not be voting on this tonight. They will bring a revised draft to the next Council meeting.

Commissioner Madigan stated there is good reason to have at least the person's street address.

Discussion and Vote: Contract with SSPF for CLG Historic Preservation Speaker Series (15-066)

Brad Birge of the Planning Department advised the City was awarded a grant for \$12,000 for the development of a Historic Preservation Speaker Series. There will be four separate evening.

**Mayor Yepsen moved and Commissioner Mathiesen seconded to authorize the mayor to sign a contract with the Saratoga Springs Preservation foundation as distributed with the final agenda.**

Funding is in line A3618684 / 54737 / 8040.

**Ayes - All**

**ACCOUNTS DEPARTMENT**

Nothing at this time.

**FINANCE DEPARTMENT**

Discussion and Vote: Revise 2013 Fund Balance Excess Recommendation (15-067)

Commissioner Madigan advised the Council approved the 2013 fund balance excess at the November 3, 2014 meeting. She is asking for a revision to this recommendation to direct some of these funds to a professional revenue analysis. She is asking to move \$15,000 for a professional city-wide revenue analysis.

**Commissioner Madigan moved and Commissioner Mathiesen seconded to revise the 2013 excess fund balance recommendations approved at the November 3, 2014 City Council meeting regarding the website and social media design update and IT initiatives to allow the use of up to \$15,000 for professional city-wide revenue analysis.**

Mayor Yepsen stated this is very well intended as we can't keep hoping the money is going to be there. She thought the Revenue Committee Commissioner Madigan originally mentioned is a good idea. The residents are very talented and it is their tax money. She will not be supporting this.

Commissioner Scirocco stated he commends Commissioner Madigan for doing this. They would like to get the results as soon as possible. The firm chosen is a local firm and understands what the needs of the City are. It's an insurance policy for the future of the City.

Commissioner Madigan stated she feels it is ok to take advantage of free help at times but she also feels there are times professional assistance is needed.

Commissioner Mathiesen stated there is a place for objectivity and professionalism. Their perspective may be better than a group of volunteers.

Commissioner Madigan advised they understand our form of government. It is going to be a study we can rely on.

**Ayes – 3**

**Nays – 1 (Mayor Yepsen)**

Discussion and Vote: Budget Amendment – 2013 Fund Balance Excess (15-068)

**Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2015 budget amendments – 2013 fund balance excess which were distributed with the agenda.**

**Ayes – 3**

**Nays – 1 (Mayor Yepsen)**

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Camoin Associates (15-069)

Commissioner Madigan advised she is seeking a city-wide revenue analysis. Their client list includes but is not limited to the City of Albany, Town of Malta, and the Village of Ballston Spa. Camoin Associates advised that in the past they have been unable to obtain professional liability insurance; there are no comps or underwriting history. They are looking into obtaining the insurance but if not, risk and safety agrees this is a Council decision to vote to go forward.

Vince DeLeonardis, city attorney, stated the insurance they are referring to is E & O (Errors and Omissions). If the vendor makes a mistake and results in financial harm to the City, we can bring a claim and we can recover.

Commissioner Madigan advised she is going to ask the Council to approve the contract contingent upon 2 things; obtaining the requested professional liability insurance or provide evidence it is unable to do so because of the unavailability given the scope of services.

**Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the mayor's required signature on the agreement with Camoin Associates contingent upon the resolution of the insurance matter. To this end, Camoin will obtain professional liability insurance or provide evidence that it is unable to do so because of the unavailability given the scope of the services and no act or admission on their part. The agreement is as distributed with the agenda except for modifications due to the resolution of the insurance matter.**

**Ayes – 3**

**Nays – 1 (Mayor Yepsen)**

Discussion and Vote: Budget Transfers – Payroll (15-070)

**Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2015 budget transfers – payroll which were distributed with the agenda.**

**Ayes – All**

Discussion and Vote: Budget Transfers – Benefits (15-071)

**Commissioner Madigan moved and Commissioner Scirocco seconded to approve the 2015 budget transfers – benefits which were distributed with the agenda.**

**Ayes - All**

**PUBLIC WORKS DEPARTMENT**

Discussion and Vote: 2015 Water & Sewer Rates and Resolution (15-072)

Commissioner Scirocco stated residents will see an increase of 3% for water and sewer rates.



**Commissioner Scirocco moved and Commissioner Mathiesen seconded to approve the 2015 water and sewer rates as presented.**

Commissioner Madigan advised the Department of Public Works has paid down approximately \$500,000 of the general fund.

Mayor Yepsen asked what the future plan is to avoid taking money out of the operating budget for the water budget.

Commissioner Scirocco stated there was a cash flow problem and money was borrowed from the operating budget and never paid it back. This will probably not have to be done again.

**Ayes - All**

Discussion and Vote: Sick Bank Request (15-073)

**Commissioner Scirocco moved and Commissioner Madigan seconded to request 19 days from the DPW sick bank for an employee. This has been approved by the DPW CSEA union.**

**Ayes – All**

Announcement: Submit the 2014 Department of Public Works Annual Report

Commissioner Scirocco announced the 2014 Public Works Annual Report was submitted to the Council. He touched on the awards the City received for the basement in the Casino and the Bog Meadow Project. They continue to do more with less people.

Discussion: Update on the Ballston Avenue Reconstruction Project Detour

Tim Wales, city engineer, advised there will be a detour on Ballston Avenue effective March 26<sup>th</sup>. This will cut down the construction time and save money. They have placed this information at Price Chopper on Ballston Avenue, Stewart's, CDTA in attempt to educate the public. They expect completion by end of this year and the detour will only be in place until the end of June.

## **PUBLIC SAFETY DEPARTMENT**

Discussion and Vote: Amend City Code, Article 225, Section 225-72, Schedule VII One Way Streets (15-074)

**Commissioner Mathiesen moved and Commissioner Scirocco seconded to amend City Code, Article 225, Section 225-72, schedule VII One Way Streets adding Senior Lane direction southbound, limits Vanderbilt Avenue to Vanderbilt Avenue.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign Agreement with Vander Molen Fire Apparatus (15-075)

Commissioner Mathiesen advised the company used previously for maintenance of fire apparatus is no longer available.

**Commissioner Mathiesen moved and Commissioner Madigan seconded to authorize the mayor to sign an agreement with Vander Molen Fire Apparatus.**

Funding is in line A3143414 / 54510.

**Ayes – All**

Announcement: Public Safety Forum on March 26, 2015 at 7 pm in the City Council Room

Commissioner Mathiesen announced the public safety forum will be held March 26<sup>th</sup> at 7 pm. in the City Council Room. They will be devoting a portion of the meeting to traffic issues.

Discussion and Vote: Mayor to Sign Agreement with New York State Emergency Preparedness and Homeland Security for EVOC Training (15-076)

**Commissioner Mathiesen moved and Commissioner Madigan seconded to authorize the mayor to sign an agreement with NYS Homeland Security and Emergency Services.**

**Ayes - All**

**SUPERVISORS**

Matthew Veitch

Personnel Committee

Supervisor Veitch reported they are seeking a director of personnel at the County. They are accepting applications and can be sent to his attention at the Board of Supervisors. They are also looking for a deputy director of mental health.

Deceased Veteran Honors

Supervisor Veitch reported they honored Charles Spieldenner of Corinth. He was a teacher at Corinth High School and a coach.

Peter Martin

Social Programs Committee

Supervisor Martin reported the approved the expenditure for another year for in-home health care services. They also voted to authorize the expenditure of \$20,000 for Community Connections, located here in Saratoga Springs.

Public Health Committee

Supervisor Martin reported funding will be increased for certain mental health providers.

Equalization and Assessment Committee

Supervisor Martin reported started at 6 p.m. tonight started the auction on properties for unpaid taxes. They have raised \$114,000 in past due taxes and penalties from owners who were delinquent.

Vietnam Veterans

Supervisor Martin reported this is the 50<sup>th</sup> anniversary year for the Vietnam War. Plans for the Veteran's Day Program are moving along well. A brown bag lunch has also been put together for May 14<sup>th</sup> at noon at the Saratoga Springs Library.

State Legislative Agenda

Supervisor Martin reported a meeting was held on March 6<sup>th</sup> with our state representatives. There were 13 legislative items brought forward. Senator Farley was very positive about reinstating the VLT monies for the City.

**ADJOURNMENT**

There being no further business, Mayor Yepsen adjourned the meeting at 9:02 p.m.

Respectfully submitted,

Lisa Ribis  
Clerk

Approved:  
Vote:

DRAFT